

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: June 11, 2015

Agenda Item: Fishing Contest Administrative Rule Modification

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 15 minutes

Background

Fishing contests for wild trout in streams are currently prohibited under ARM 12.7.807. To expand angler opportunity, FWP proposed to modify this prohibition to allow young anglers to participate in fishing contests for brook trout (*Salvelinus fontinalus*). This proposal received approval from the Fish & Wildlife Commission in March. Approval initiated a public involvement process. The proposed ARM reads as follows:

12.7.807 PROHIBITED CONTESTS

- (1) Contests involving any listed species or species of concern are prohibited except for Yellowstone cutthroat trout (*Oncorhynchus clarki bouvieri*) or westslope cutthroat trout (*Oncorhynchus clarki lewisi*) stocked in lakes or reservoirs.
- (2) All contests involving wild trout (*Salmo*, *Oncorhynchus*, or *Salvelinus*) in streams or rivers are prohibited except contests for brook trout (*Salvelinus fontinalis*) that are restricted to anglers 14 years or younger.

Public Involvement Process & Results

A public comment period ran from March 26 through May 1. Public hearings were also held from Helena with video conference connections to Regions 1, 3, 5, and 6, on April 23, and to Regions 2, 4, and 7, on April 24. Three comments total were received, all by oral testimony at the hearings; two were repeated in writing. One comment by an individual, and one comment by an individual representing the George Grant Chapter of Trout Unlimited (Butte), opposed this specific ARM modification, as well as all fishing contests generally. One individual representing Montana Bass Nation and the Montana Bass Federation supported the modification unconditionally.

Alternatives and Analysis

With no change, angling contests remain prohibited on wild trout in streams and rivers. The new rule allows young anglers to enter organized events for brook trout in streams, and to associate prizes with their catch. Events involving more than 30 anglers or prize values in excess of \$500 would remain subject to safeguards of further FWP and Fish & Wildlife Commission scrutiny, and the need to obtain a permit.

Agency Recommendation & Rationale

Fishing contests have a potential to harm fisheries. The proposed ARM was intentionally restricted to wild brook trout, a non-native species, for anglers aged 14 years or less to help limit this potential for damage. Importantly, further safeguards to mitigate harm remain if contests exceed 30 anglers or prize values more than \$500. FWP feels these safeguards are sufficient to avoid most of the concerns about harm raised during public comment. Due diligence monitoring state fisheries, an ongoing responsibility regardless of fishing contests, provides further protections to prevent unacceptable effects over time. For all of these reasons, FWP recommends that the Commission modify the language of ARM 12.7.807 as proposed, to allow young anglers a fishing opportunity that is currently prohibited.

Proposed Motion

I move that the Commission modify existing ARM rule 12.7.807 as suggested by FWP.